

Application Serial No. 10/657,612
Attorney Docket No. GRFT CTNG 1.2 US

(3) Remarks

I. Restriction Requirement

Applicants hereby confirm their election of the method claims of Group I, with traverse. The examiner's comments are noted, but applicants request that claims 4-6 be considered for allowance when the subject matter of claims 1-3 is deemed allowable.

Applicant will maintain all of the claims in the application until allowable subject matter is indicated, at which time the examiner is requested to reconsider the restriction and withdraw it if it has not been withdrawn by that time.

II. Oath/Declaration

Applicants note that the claim of priority in the first paragraph of the application is accurate and that the box checked in Declaration was meant to indicate that foreign priority is not claimed to any earlier-filed foreign application. It is believed that the literal wording of the documents is proper, but offer to file a new Declaration if that should be required.

III. Specification

Applicants wish to retain the title as it stands until allowable subject matter is indicated and conformance can be made with such.

IV. Claim Rejections – 35 USC §112

Applicants have amended claim 1 consistent with the disclosure at paragraphs [0039] and [0040] responsive to the examiner's comments and to provide a more clear statement of the invention and its distinctions from the prior art.

V. Claim Rejections – 35 USC §102

Applicants traverse the statement of the rejection over Pittman, *et al.*. Applicants discussed Pittman, *et al.* in their specification as being for a different process than applicants.

Application Serial No. 10/657,612
Attorney Docket No. GRFT CTNG 1.2 US

However, applicants have amended the claims to more clearly demonstrate the differences. Applicants have noted that Pittman, *et al.*, does not provide a complete product after the prefinishing, but needs to further finish and then overcoat with a glaze. See paragraphs [0005] and [0006] of applicants' specification in this regard.

VI. Claim Rejections – 35 USC §103

It will be recalled that the invention relates to a process which utilizes two complementarily pigmented coatings, the first being opaque and the second being transparent, but darkening. As stated in paragraph [0039]:

The combined use of a base coat with a graining coat as provided by the invention provides a brilliance and depth of natural wood simulation that is distinctly different than achieved by prior art methods.

The two colors are necessary for the process and nothing like this is suggested by the prior art. The second or graining coat changes the color provided the base coat and highlights the ticks, without simply filling them in with a dark, opaque color. As with real wood, the ticks retain their background hue but and have a wood-like look.

As to the examiner's statements to drying, applicants note that air drying is an advantage not possessed by the prior art of Pittman, *et al.* Indeed, the invention has several advantages neither taught nor suggested by Pittman, *et al.*, and there is no motivation provided to the person skilled in the art to modify the process of that reference to arrive at the one presently claimed.

The Pittman, *et al.*, reference certainly does not show a second coat as claimed and that of Porter is absent any teaching or suggestion to provide a modified process wherein two coatings provide complementary colors for graining wood while providing a natural-appearing wood color simulation.

Claim 2 has been rejected over Pittman, *et al.*, on the basis that the coating level is just routine optimization. This rejection is respectfully traversed for the reasons above and because there is no reason or motivation for making the change. Applicants point out that the coating of Pittman, *et al.*, is different in composition and purpose from that claimed. Thus, it would not be obvious for the person of ordinary skill in the art to optimize it by using a low application rate to

Application Serial No. 10/657,612
Attorney Docket No. GRFT CTNG 1.2 US

effect the claimed purposes of *spreading the graining coat to color at least a majority of texture recesses in the substrate, while retaining a coating of the darkening graining coat on the textured surface, which together with the base coat color, provides a natural look of a selected wood type.*

Claim 3 has been rejected under 35 USC §103 as defining an invention which is obvious from Pittman, *et al.*, in view of Porter. This rejection is respectfully traversed for the reasons above and because there is no reason or motivation for making the change seen from the references themselves. Indeed, even were the changes to be made in accord with the reference teachings for some other purpose, the modified process would not meet the terms of the present claims and would not render such obvious.

Again, applicants stress that their method of making a door appear like a natural wood door is not in any manner taught or suggested by the prior art. The combined use of a base coat with a graining coat – both coatings pigmented specifically for complimentary in color effect – as provided by the invention provides a brilliance and depth of natural wood simulation that is distinctly different than achieved by prior art methods.

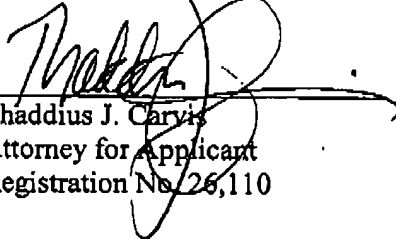
The two colors are necessary for the process and nothing like this is suggested by the prior art. The second or graining coat changes the color provided the base coat and highlights the ticks, without simply filling them in with a dark, opaque color. As with real wood, the ticks retain their background hue but and have a wood-like look. Even were one skilled in the art to use the Porter coating for weathering resistance, there would be no teaching or direction in the art to positively use the coating as a manner to adjust the color of a base coat to provide the coloration of wood while enabling graining without simply filling ticks with dark pigment. The invention requires a conscious effort to select complimentary pigments and coating vehicles which when properly applied provides and truly wood like appearance, but is yet very durable and easily achieved. The prior art does not teach enough of the overall process to render it obvious to the person skilled in the art.

Applicants have made a significant contribution to the art of finishing doors and other objects to achieve a natural wood coloration with natural appearing graining. The process of the

Application Serial No. 10/657,612
Attorney Docket No. GRFT CTNG 1.2 US

invention not only appears simple, it is simple – something a handyman or even a skilled cabinet shop owner will truly appreciate. The claims set forth the invention clearly and concisely in terms which distinguish from the prior art. Accordingly, allowance of all claims is believed in order and such action is earnestly solicited.

Respectfully submitted,



Thaddius J. Carvis
Attorney for Applicant
Registration No. 26,110

102 North King Street
Leesburg, Virginia 20176
Tel (703) 737-7817
Fax (703) 737-7813